

FILED
11/10/2020
THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

AUSA Jared H. [redacted] (312) 851-5151

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA

v.

JERMAINE WEEDEN

Case No.: **20CR790**
JEFFREY COLE
Magistrate Judge

AFFIDAVIT IN REMOVAL PROCEEDING

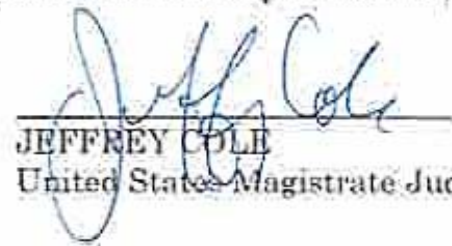
I, ALEXIS D. FIGUEROA, appearing by telephone before United States Magistrate Judge JEFFREY COLE and being duly sworn on oath, state that as a federal law enforcement officer I have been informed that JERMAINE WEEDEN has been charged by Complaint in the Eastern District of Michigan with the following criminal offense: felon in possession of a firearm, in violation of Title 18, United States Code, Section 922(g)(1).

A copy of the Complaint is attached. A copy of the arrest warrant also is attached.



ALEXIS D. FIGUEROA
Special Agent
Federal Bureau of Investigation

SUBSCRIBED AND SWORN to before me by telephone this 19th day of October, 2020.



JEFFREY COLE
United States Magistrate Judge

UNITED STATES DISTRICT COURT
for the
Eastern District of Michigan

United States of America
v.

JERMAINE WEEDEN,

Defendant.

Case No. Case: 2:20-mj-30376
Assigned To : Unassigned
Assign. Date : 9/11/2020
USA V. SEALED MATTER (CMP)(CMC)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of August 20, 2019 in the county of Wayne in the
Eastern District of Michigan, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
18 U.S.C. § 922(g)(1)	Felon in Possession of a Firearm

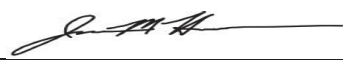
This criminal complaint is based on these facts:
SEE ATTACHED AFFIDAVIT

☒ Continued on the attached sheet.

Sworn to before me and signed in my presence
and/or by reliable electronic means.

Date: September 11, 2020

City and state: Detroit, MI


Complainant's signature

Special Agent Juan M. Herrera, FBI
Printed name and title


Judge's signature

Hon. R. Steven Whalen, U.S. Magistrate Judge
Printed name and title

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN

UNITED STATES OF AMERICA

v.

JERMAINE WEEDEN,

Defendant.

Case No.

UNDER SEAL

**AFFIDAVIT IN SUPPORT OF APPLICATION FOR
CRIMINAL COMPLAINT AND ARREST WARRANT**

I, Special Agent Juan Herrera with the Federal Bureau of Investigation (FBI), being duly sworn, hereby depose and state the following:

INTRODUCTION

1. I have been employed as a Special Agent with the FBI for approximately fifteen years, and I am currently assigned to the FBI Detroit Field Office. During this time, I have conducted many violent crime investigations, including investigations of violations of federal firearm laws.

2. I submit this affidavit in support of a criminal complaint charging that, on or about August 20, 2019, within the Eastern District of Michigan, the defendant, Jermaine WEEDEN (D.O.B.: XX/XX/1994), knowing that he had been convicted of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed, in and affecting commerce, a firearm, in violation of Title 18, United States Code, Section 922(g)(1).

3. I make this affidavit from personal knowledge, as well as information provided by other law enforcement officials and/or their reports and records. This affidavit is intended to show merely that there is sufficient probable cause for the requested complaint and arrest warrant and does not set forth all details or facts that exist pertaining to the investigation.

PROBABLE CAUSE

A. August 20, 2019 Shooting in Detroit, Michigan

4. On August 20, 2019, at approximately 9:00 p.m., Detroit Police Department (DPD) officers were dispatched to Buckingham and Mack Avenue, in Detroit, Michigan, for a report of a shooting. When officers arrived at the scene, they observed a black Chrysler 300 sedan parked on the corner, and the driver was pulling a female victim from the rear passenger side of the vehicle. The female victim had sustained multiple gunshot wounds; she was transported to a hospital, where she was pronounced dead. According to the driver, he had been inside the car at a nearby location when an unknown black male opened the left side rear passenger door of the car and fired multiple shots into the rear passenger area, where the female victim was sitting. The driver then drove the car away, called 911, and pulled over at a gas station close by.

5. At the nearby scene of the shooting, DPD officers located and recovered twelve spent .40 caliber casings.

6. DPD officers also recovered and reviewed surveillance video from the area of the shooting, which showed that a dark-colored sedan had stopped in the area of the shooting at approximately 8:59 p.m. on August 20, 2019, seconds before the shooting.

7. The recovered twelve .40 caliber casings were submitted to a Michigan State Police (MSP) forensic lab for examination, and one of the casings was entered into the National Integrated Ballistic Identification Network (NIBIN).

8. NIBIN is a national network, operated by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), that allows for the capture and comparison of ballistic evidence to aid in solving violent crimes involving firearms. NIBIN technology compares images of submitted ballistic evidence from shooting scenes and recovered firearms and produces a list of possible similar results. NIBIN technicians then conduct a correlation review of these results, identifying NIBIN “leads” or potential links or associations from the same firearm. A NIBIN lead is an unconfirmed, potential association between two or more pieces of firearm ballistic evidence and is based on a correlation review of the digital images in the NIBIN database. When needed for court or other purposes, a firearms examiner will conduct a microscopic examination of the actual physical evidence to confirm a NIBIN lead as a “hit.” A NIBIN hit occurs when two or more firearms ballistic evidence acquisitions are identified as a confirmed match

by a firearms examiner—that is, when the examiner determines that particular casings were fired from the same firearm, or a particular casing was fired from a particular firearm.

9. In February 2020, DPD received notification from the MSP lab of a NIBIN lead, *i.e.*, potential association, between a casing recovered from the scene of the August 20, 2019 homicide in Detroit, and a test fire casing from a handgun that was recovered two months later in Chicago, Illinois—specifically, a Glock 23, .40 caliber, semi-automatic handgun, bearing serial number PAZ363, that was seized from Jermaine WEEDEN by Chicago Police on October 19, 2019 (discussed in further detail below).

10. Subsequently, in September 2020, an MSP Firearms and Toolmark Examiner conducted a microscopic comparison analysis and determined that the twelve fired cartridge cases recovered from the scene of the August 20, 2019 homicide in Detroit are identified as having been fired in the same firearm as test fire casings from the Glock 23 handgun (serial number PAZ363) that was seized from WEEDEN in Chicago. In other words, the NIBIN lead was confirmed as a hit, or a match.

11. Further investigation revealed additional evidence connecting WEEDEN to the August 20, 2019 shooting in Detroit, including the following.

12. When WEEDEN was arrested by Chicago Police on October 19, 2019 (described in further detail below), he was in possession of a stolen rental car—a blue Nissan Versa, bearing New York license plate number HRK4937. The car was a Hertz rental car that had been due to be returned to Hertz on August 24, 2019, and Hertz filed a stolen vehicle report with the Lombard (Illinois) Police Department in September 2019. The appearance of this blue Nissan Versa is consistent with the appearance of the dark-colored sedan captured on surveillance video near the August 20, 2019 homicide scene around the time of the shooting (referenced in Paragraph 6, above).

13. DPD conducted a query of Michigan License Plate Reader (LPR) cameras around the date of the August 20, 2019 homicide for the stolen blue Nissan Versa's New York license plate number HRK4937. The query revealed that:

- a. An LPR in New Buffalo, Michigan, captured the car traveling eastbound on I-94 on August 19, 2019 at 6:35 p.m., a day prior to the Detroit homicide. New Buffalo is just across the Michigan border from Indiana, in the southwestern part of Michigan.

- b. An LPR also captured the same car again on August 20, 2019, in Benton Harbor, Michigan, traveling westbound on I-94 towards Chicago. The LPR captured the license plate at 11:31 p.m., which is approximately two and a half hours after the homicide occurred.

14. DPD detectives determined that WEEDEN was on probation at the time of the August 20, 2019 homicide and at the time of his subsequent October 19, 2019 arrest. Information provided by the Illinois Department of Corrections Probation revealed that WEEDEN used telephone number 773-710-7274 to check in with Probation on numerous occasions in 2019.

15. In March 2020, DPD obtained a state search warrant to obtain records from AT&T for telephone number 773-710-7274, including subscriber information and call detail records (CDRs) that included historical cell site location information (CSLI) for this phone number. Records provided by AT&T reflected that the subscriber for this phone number was Jermaine WEEDEN of Chicago, IL, for the period May 31, 2019 to February 25, 2020.

16. A review of the CSLI revealed that WEEDEN's cell phone (773-710-7274): (i) traveled into Michigan from the area of Chicago on August 19, 2019, the day before the homicide; (ii) connected to cell towers around the geographic area of the crime scene around the reported time of the homicide on August 20, 2019;

and (iii) then immediately traveled back to Chicago after the homicide. More specifically, the CSLI records showed that:

- a. On August 19, 2019, at approximately 6:34 p.m., the phone connected to cell towers near the New Buffalo, Michigan area.
- b. On August 20, 2019, the night of the murder, the phone connected to a cell tower located less than 0.5 miles from the shooting scene in Detroit, multiple times over an approximate two-hour period, starting around 7:00 p.m. and continuing until 8:56 p.m., which is minutes before the shooting occurred.
- c. On August 20, 2019, immediately after the time of the shooting, the phone then traveled westbound on I-94, and later connected to cell towers near the Benton Harbor, Michigan area at approximately 11:34 p.m.

17. Based on these CSLI records and the LPR records detailed above, the location of WEEDEN's cell phone was consistent with the travel of the blue Nissan Versa on August 19 to August 20, 2019.

B. October 19, 2019 Arrest of WEEDEN in Chicago, Illinois

18. Two months later, on October 19, 2019, at approximately 2:06 p.m., officers from the Chicago Police Department (CPD) were on routine patrol when they responded to another officer's report of one male and one female sitting inside

of a stolen vehicle parked in the alley behind 5920 S. Calumet Avenue, Chicago, Illinois. The reporting officer had confirmed the vehicle as stolen by checking the vehicle's license plate in a law enforcement computer database.

19. When the responding CPD officers pulled into the alley, they observed a male, subsequently identified as Jermaine WEEDEN, and a female standing near the stolen vehicle, a blue Nissan Versa, bearing New York license plate number HRK4937.

20. As the responding officers exited their patrol car and approached, WEEDEN fled from the officers on foot. After a brief foot chase, the officers apprehended WEEDEN and placed him in handcuffs. As WEEDEN physically resisted the officers when placed against the police car, a Glock 23, .40 caliber, semi-automatic handgun, bearing serial number PAZ363, fell out of WEEDEN's left pant leg. The handgun was loaded with twelve rounds of ammunition with head-stamp markings "SIG 40 S&W."

21. During a subsequent search of the stolen blue Nissan Versa, CPD officers recovered an extended magazine from the passenger side door. The magazine contained twenty-six rounds of ammunition with head-stamp markings "SIG 40 S&W."

22. The Glock 23, .40 caliber, semi-automatic handgun, bearing serial number PAZ363, and the recovered ammunition were submitted to the CPD

forensic lab for testing and examination. CPD analysts performed function tests on the handgun and fired test shots. One of the test fire casings was entered into the CPD Integrated Ballistics Identifications System (IBIS) and into NIBIN, which subsequently led to the NIBIN lead discussed above in Paragraph 9.

C. WEEDEN's Criminal History and Analysis of the Seized Firearm

23. A review of WEEDEN's criminal history revealed that he has the following felony convictions: (1) a May 12, 2016 felony conviction for Aggravated Unlawful Use of a Weapon/Vehicle in Cook County Circuit Court, Chicago, Illinois, for which he was sentenced to one year of imprisonment; and (2) a March 15, 2018 felony conviction for Unlawful Possession of a Weapon by a Felon in Cook County Circuit Court, Chicago, Illinois, for which he was sentenced to 42 months of imprisonment. As a result of these felony convictions and sentences, there is probable cause to believe that WEEDEN knew that he was a felon when he possessed the Glock 23, .40 caliber, semi-automatic handgun, bearing serial number PAZ363, on August 20, 2019.

24. In August 2020, ATF Special Agent Michael Jacobs reviewed the history of the Glock 23, .40 caliber, semi-automatic handgun bearing serial number PAZ363, and made a preliminary determination that the firearm was manufactured outside the state of Michigan, and therefore this firearm traveled in interstate commerce from its point of manufacture to Michigan.

CONCLUSION

25. Based on the foregoing, there is probable cause to believe that on or about August 20, 2019, within the Eastern District of Michigan, Jermaine WEEDEN, knowing that he had been convicted of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed, in and affecting commerce, a firearm, in violation of Title 18, United States Code, Section 922(g)(1).



Juan M. Herrera
Special Agent, FBI

Sworn and subscribed to
before me this ____ day of September, 2020.



HONORABLE R. STEVEN WHALEN
UNITED STATES MAGISTRATE JUDGE

September 11, 2020

UNITED STATES DISTRICT COURT

for the
Eastern District of Michigan

United States of America

v.

JERMAINE WEEDEN,

Defendant.

Case No. Case: 2:20-mj-30376
Assigned To : Unassigned
Assign. Date : 9/11/2020
USA V. SEALED MATTER (CMP)(CMC)

ARREST WARRANT

To: Any authorized law enforcement officer

YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay

(name of person to be arrested) Jermaine Weeden,

who is accused of an offense or violation based on the following document filed with the court:

☐ Indictment
 ☐ Superseding Indictment
 ☐ Information
 ☐ Superseding Information
☒ Complaint
☐ Probation Violation Petition
☐ Supervised Release Violation Petition
☐ Violation Notice
☐ Order of the Court

This offense is briefly described as follows:

18 U.S.C. § 922(g)(1) Felon in Possession of a Firearm

I hereby certify that the foregoing is a certified copy
of the original on file in this office.

Clerk, U.S. District Court
Eastern District of Michigan

By: s/Carolyn Ciesla
Deputy

Date: September 11, 2020City and state: Detroit, MI

Issuing officer's signature

Hon. R. Steven Whalen, U.S. Magistrate Judge

Printed name and title

Return

This warrant was received on (date) _____, and the person was arrested on (date) _____
at (city and state) _____.

Date: _____

Arresting officer's signature

Printed name and title

**This second page contains personal identifiers provided for law-enforcement use only
and therefore should not be filed in court with the executed warrant unless under seal.**

(Not for Public Disclosure)

Name of defendant/offender: Jermaine Weeden

Known aliases: _____

Last known residence: _____

Prior addresses to which defendant/offender may still have ties: _____

Last known employment: _____

Last known telephone numbers: _____

Place of birth: _____

Date of birth: 11/13/1994

Social Security number: _____

Height: _____ Weight: _____

Sex: _____ Race: _____

Hair: _____ Eyes: _____

Scars, tattoos, other distinguishing marks: _____

History of violence, weapons, drug use: _____

Known family, friends, and other associates (*name, relation, address, phone number*):

FBI number: _____

Complete description of auto: _____

Investigative agency and address: _____

Name and telephone numbers (office and cell) of pretrial services or probation officer (*if applicable*):

Date of last contact with pretrial services or probation officer (*if applicable*):
